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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/303,360 04/29/99 PETERS

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EXAMINER

CRAVER, C	
ART UNIT	PAPER NUMBER

2681
DATE MAILED:

07/11/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

SS

Office Action Summary

Application No.
09/303,360

Applicant(s)
Peters

Examiner
Charles Craver

Art Unit
2681



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-17 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 20) ☐ Other:

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DETAILED ACTION

Claim Objections

1. Claim 11 is objected to because of the following informalities: in line 7, remove "to".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 7, 8 and 12-17 are rejected under 35 U.S.C. 102(b) as being anticipated by

Bendixen.

Regarding claim 7,

Bendixen discloses a telephone system for providing a telephony feature comprising a phone system controller (i.e. the network) and a first telephone system interface (60, 66), wherein said interface is coupled between a first telephone handset (68) and a telephone line (J3, FIG 3), said interface operable to selectively couple said telephone set to said telephone line (col 7 lines 1-24), and establish a wireless control and data channel between said interface and said controller, said channel inherently operable to carry control signals associated with said telephony

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feature (col 4 lines 48-61, col 6 lines 46-66, FIG 3), and wherein said controller would inherently be operable to receive and process and act upon control signals to provide said telephony feature.

Regarding claim 8,

Bendixen states that the channel can also carry audio signals (i.e. voice, col 4 lines 62-68).

Regarding claim 12,

Bendixen states that the switch may couple a telephone to the wireless means in response to a control signal from the controller (col 5 lines 36-58, col 6 lines 51-66, col 7 lines 8-24).

Regarding claim 13,

Bendixen discloses a method of connecting a telephone (68) to a network (i.e. controller) for providing a telephony feature comprising

establishing a wireless control and data channel between said controller and an adaptor box (60, 66), said channel operable to carry control signals associated with said telephony feature (col 4 lines 48-61, col 6 lines 46-66, FIG 3), and wherein said controller would inherently be operable to receive and process and act upon control signals to provide said telephony feature.

Regarding claim 14,

Bendixen further teaches that telephone service is provided by the network through telephone lines (J3) which are connected to the telephone (col 7 lines 1-24).

Regarding claim 15,

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Bendixen states that the channel can also carry audio signals (i.e. voice, col 4 lines 62-68); further, said voice signals would inherently be processed at the controller. **Further regarding claim 16**, Bendixen states that the channel can also carry dialing signals (col 5 lines 1-63).

Regarding claim 17,

Bendixen states that the switch may couple a telephone to the wireless means in response to a control signal from the controller (col 5 lines 36-58, col 6 lines 51-66, col 7 lines 8-24).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bendixen.

Regarding claim 1,

Bendixen discloses a phone system adaptor (FIG 3) for use with a phone system controller (i.e. the network) operable to provide a telephony feature, said adaptor comprising

a switch circuit (70) operable to selectively couple a telephone set to a telephone line (col 7 lines 1-24), and

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a wireless communication interface (62, 20) operable to establish a wireless control and data channel between said interface and said controller, said channel inherently operable to carry control signals associated with said telephony feature (col 6 lines 46-66, FIG 3).

Bendixen does not specifically disclose a housing to house said switch and interface. However, placing the elements in a housing would have been obvious to one of ordinary skill in the art at the time of the invention in order to protect the devices from damage, as well as provide electrical and RF shielding.

Regarding claim 2,

Bendixen teaches that the switch may couple said telephone to said interface (col 7 lines 1-4).

Regarding claim 3,

Bendixen states that the channel can also carry audio signals (col 4 lines 62-68).

Regarding claim 4,

Bendixen states that the channel can also carry dialing signals (col 5 lines 1-63).

Regarding claim 5,

Bendixen states that the switch may couple a telephone to the wireless means in response to a control signal from the controller (col 5 lines 36-58, col 6 lines 51-66, col 7 lines 8-24).

Regarding claim 6,

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The invention of Bendixen would inherently connect to a second adaptor box, if the second adaptor was the means to communicate with another user, i.e. a user connected to the first box places a call to a user of a second box in the network.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bendixen as applied to claim 8 above, and further in view of Armstrong et al.

While disclosing applicant's invention of claim 8 above, Bendixen does not disclose that the controller may process signals to obtain a number and dial it.

Armstrong discloses that it is useful in a radiotelephone system to provide directory assistance at the network, whereby calls are processed to obtain a number, and said number is dialed for the caller (col 1 lines 11-28, col 3 lines 30-56).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to add such a popular feature to Bendixen, as it would offer a feature which is a standard in every phone network.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bendixen.

As shown above, Bendixen discloses applicant's invention of claim 7. Further, Bendixen discloses a second telephone set (FIG 3) connectable to said telephone line. While Bendixen does not disclose a second interface to connect the second set to the line, since Bendixen teaches said

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processing, another interface would be functionally equivalent to the single interface system of Bendixen, and as such, obvious in view of said teachings.

Allowable Subject Matter

8. Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter:

Claim 11 teaches towards a telephone system for providing a telephony feature comprising a phone system controller and a first telephone system interface coupled between a first telephone handset and a telephone line and operable to selectively couple said telephone set to said telephone line and establish a wireless control channel between said interface and said controller, and wherein there is provided a second interface coupled between a second handset and the telephone line, and operable to wirelessly connect the first and second handsets. Claim 14 teaches a system neither taught nor suggested by the prior art.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Barabash and West, Jr. discuss methods for connecting a handset to a fixed wireless device.

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Vo and Bright discuss dialing in a fixed cellular device connected to a handset.

11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Or:

(703) 872-9314 (for informal or draft communications, please label "PROPOSED"
or "DRAFT")


Hand delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington VA, sixth floor (receptionist).

12. Any inquiry concerning this communication or earlier communications from the examiner
should be directed to Charles Craver whose telephone number is (703) 305-3965.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,
Dwayne Bost, can be reached on (703) 305-4778.

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Group receptionist whose telephone number is (703) 305-4700.

CC
C. Craver
July 1, 2001


NAY MAUNG
PRIMARY EXAMINER